

111TH CONGRESS
2D SESSION

H. R. 5195

To establish a director of anti-trafficking policies in the Department of
Defense.

IN THE HOUSE OF REPRESENTATIVES

APRIL 29, 2010

Mr. SMITH of New Jersey introduced the following bill; which was referred
to the Committee on Armed Services

A BILL

To establish a director of anti-trafficking policies in the
Department of Defense.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. DEPARTMENT OF DEFENSE DIRECTOR OF**
4 **ANTI-TRAFFICKING POLICIES.**

5 (a) ESTABLISHMENT.—The Secretary of Defense
6 shall designate within the Office of the Secretary of De-
7 fense a director of anti-trafficking policies. The director
8 shall be responsible for overseeing the implementation
9 within the Department of Defense of policies relating to
10 trafficking in persons, including policies of the Depart-

1 ment and policies of the Federal Government (including
2 policies contained in National Security Presidential Direc-
3 tive 22) as they relate to the Department. The Secretary
4 may not assign to the director any responsibilities not re-
5 lated to trafficking in persons.

6 (b) DUTIES.—The director designated under sub-
7 section (a) shall, in consultation with other relevant ele-
8 ments of the Department—

9 (1) ensure that training materials and instruc-
10 tional programs relating to trafficking in persons are
11 developed and used by the military departments;

12 (2) consult regularly with academicians, faith-
13 based organizations, multilateral organizations, non-
14 governmental organizations, and others with exper-
15 tise in combating trafficking in persons, regarding
16 the Department's implementation of policies relating
17 to trafficking in persons;

18 (3) conduct surveys of members of the Armed
19 Forces and of employees of the Department to as-
20 sess attitudes and knowledge regarding trafficking in
21 persons and use the results of those surveys to de-
22 velop training materials and instructional programs
23 relating to trafficking in persons;

1 (4) ensure that trafficking in persons is in-
2 cluded as an intelligence requirement in peace-
3 keeping missions that track organized crime;

4 (5) ensure the proper handling of cases in
5 which a member of the Armed Forces or an em-
6 ployee or contractor of the Department is alleged to
7 have engaged in or facilitated an act of trafficking
8 in persons and in such cases encourage, as appro-
9 priate, implementation of chapter 212 of title 18,
10 United States Code (commonly referred to as the
11 Military Extraterritorial Jurisdiction Act of 2000)
12 and the Trafficking Victims Protection Act of 2000;

13 (6) ensure that the Department implements the
14 commitments relating to trafficking in persons
15 agreed to by the United States in the context of the
16 North Atlantic Treaty Organization, the United Na-
17 tions, and other multilateral organizations, as those
18 commitments relate to the Department;

19 (7) establish a mechanism to ensure that nei-
20 ther the Department nor any contractor (or subcon-
21 tractor at any tier) of the Department rehires an
22 employee of such a contractor (or subcontractor)
23 who engaged in a severe form of trafficking in per-
24 sons while the contract is in effect;

1 (8) include the subject of trafficking in persons
2 in military-to-military contact programs;

3 (9) in consultation with the Office of the In-
4 specter General of the Department, investigate links
5 between trafficking in persons and deployments of
6 members of the Armed Forces and contractors of
7 the Department;

8 (10) consult with contractors of the Depart-
9 ment on programs to prevent trafficking in persons
10 and on accountability structures relating to traf-
11 ficking in persons; and

12 (11) perform such other related duties as the
13 Secretary may require.

14 (c) RESOURCES.—The director designated under sub-
15 section (a) shall have sufficient staff and resources to
16 carry out the responsibilities and duties described in this
17 paragraph.

18 (d) RANK.—The director designated under subsection
19 (a) shall have the rank of assistant secretary.

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